

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAJED AL-MAAREJ,

Defendant.

No. 2:23-cr-0147-RSL

PROTECTIVE ORDER

1. This Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in discovery in the above-captioned case.

2. Discovery in this case is voluminous. Many of these materials and documents include personally identifiable information (PII), which is defined for purposes of this order as Social Security numbers, driver's license numbers, dates of birth, addresses, and bank or other financial account numbers. Redacting the discovery to delete PII would unnecessarily delay the disclosure of discovery to Defendant and would frustrate the intent of the discovery process.

3. Access to discovery material will be restricted to the Defense Team, with the limited exceptions discussed in paragraphs 4 through 7 below. "Defense Team" shall

1 be limited to attorneys of record for the defendant and any of the following people
 2 working on this matter under the supervision of the attorneys of record: attorneys,
 3 investigators, paralegals, law clerks, testifying and consulting experts, and legal
 4 assistants. The Defense Team also includes the attorneys and staff at the Federal
 5 Community Defender of the Eastern District of Michigan. For purposes of this Order,
 6 “Defense Team” does not include the defendant. Defendant’s attorneys shall inform any
 7 member of the Defense Team to whom disclosure of discovery material is made of the
 8 existence and terms of this Protective Order. Members of the Defense Team shall not
 9 provide copies of any discovery material to any persons outside of the Defense Team,
 10 except as specifically set forth below.

11 4. Members of the Defense Team shall retain custody of all copies of the
 12 discovery material, except as discussed below in paragraph 5. Members of the Defense
 13 Team shall use discovery material only for the purpose of preparing a defense to the
 14 charges in this action. Members of the Defense Team may review the discovery material
 15 with defendant and witnesses for purposes of trial preparation, provided that witnesses
 16 may review the material only in the presence a member of the Defense Team.

17 5. If at any time Defendant Sajed Al-Maarej—or any later-added defendant—
 18 is residing in federal custody, Defense counsel may provide discovery to that defendant
 19 only on the following conditions:

- 20 (a) Defendant shall use discovery material only for the purpose of assisting the
 21 Defense Team with preparing a defense to the charges in this action;
- 22 (b) Defendant may not provide copies of the discovery material to any third parties
 23 and may only review the discovery material either alone or in the presence of
 24 the Defense Team;
- 25 (c) Defendant shall only be permitted to review his copy of the discovery material
 26 in facilities approved by the Bureau of Prisons for this purpose, on Bureau of
 27 Prisons-approved computers, or in hard copies maintained by Bureau of
 28 Prisons staff while not in use by the Defendant; and

(d) Defendant shall not be permitted to maintain a copy of the discovery material, or any notes made while reviewing that material, in his cell.

6. Any Defendant on pretrial release may review discovery at the offices of their counsel but are prohibited from printing out, copying, or disseminating discovery that contains PII. The Defense Team may, however, provide their client materials that either do not contain any PII or otherwise have been redacted by the Defense Team to remove all PII. Further, Defendant may be provided their own PII.

7. Any discovery material containing personal identifying information or personal financial information that the Defense Team files with the Court in connection with pre-trial motions, trial, or other matters before the Court, shall either be redacted to remove the personal identifying information or personal financial information, or shall be filed under seal and shall remain sealed until otherwise ordered by the Court.

8. **Sensitive material.** Discovery in this case may contain information relating to confidential human sources and/or undercover operations in addition to the PII and financial information summarized above. The parties have agreed the government may designate such materials SENSITIVE (hereinafter “Sensitive Material”) due to their sensitive nature. The government will designate appropriate materials as Sensitive Material by stamping “SENSITIVE” on the top center of the produced page or slip sheet and/or by including the phrase “SENSITIVE” in the native file name. Sensitive Material is covered by the conditions in paragraphs 1 through 7 and the following conditions:

(a) Access to Sensitive Material will be restricted to the Defense Team. Members of the Defense Team shall not provide Defendant or any other person with copies of any Sensitive Material.

(b) Notwithstanding the above, Defendant may review Sensitive Material at the office of the Federal Community Defender of the Eastern District of Michigan or at the office of the Federal Public Defender of the Western District of Washington in the presence of a Member of the Defense Team. If Defendant views Sensitive Material at the office of the Federal Community Defender of

1 the Eastern District of Michigan, Defense Counsel may appear by
2 videoconference in lieu of a Member of the Defense Team being physically
3 present. Defendant is prohibited from printing out, copying, or disseminating
4 Sensitive Material, including on the Internet. Defendant may not take
5 photographs of Sensitive Material.

6 (c) Any Sensitive Material that the Defense Team files with the Court in
7 connection with pre-trial motions, trial, or other matters before the Court shall
8 be filed under seal and shall remain sealed until otherwise ordered by the
9 Court.

10 9. This Protective Order will cover any additional defendants in this case so
11 long as they agree to be bound by the terms of this Protective Order and so indicate that
12 consent by the execution of a supplemental stipulation, which shall be filed as an
13 addendum or supplement to this Protective Order.

14 10. This Protective Order may be modified, as necessary, by filing with the
15 Court a Stipulated Order Modifying the Protective Order or by order of the Court.

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17 DATED this 16th day of October, 2023.

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20 ROBERT S. LASNIK
21 United States District Court Judge

22 Presented by:

23
24 /s/ Lauren Watts Staniar

25 LAUREN WATTS STANIAR
26 Assistant United States Attorney
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